

CERCLA

§9621(b)(1) – “Remedial action in which treatment which permanently and significantly reduces the volume, toxicity or mobility of the hazardous substances, pollutants, and contaminants is a principal element, are to be preferred over remedial actions not involving such treatment.”

§9621(b)(1) – “...shall conduct an assessment of permanent solutions and alternative treatment technologies or resource recovery technologies that, in whole or in part, will result in a permanent and significant decrease in the toxicity, mobility, or volume of the hazardous substance, pollutant or contaminant.”

NCP

§300.430(a)(1)(iii)(A) – “EPA expects to use treatment to address the principal threats posed by a site, wherever practicable. Principal threats for which treatment is most likely to be appropriate include liquids, areas contaminated with high concentrations of toxic compounds, and highly mobile materials.”

§300.430(e)(3) – “For source control actions, the lead agency shall develop, as appropriate: (i) A range of alternatives in which treatment that reduces the toxicity, mobility, or volume of the hazardous substances, pollutants, or contaminants is a principal element. As appropriate, this range shall include an alternative that removes or destroys hazardous substances, pollutants, or contaminants to the maximum extent feasible, eliminating or minimizing, to the degree possible, the need for long-term management.” (This is the section on the FS)

§300.430(f)(1)(ii)(E) – “Each remedial action shall utilize permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable.”

A Guide to Principal Threat and Low Level Threat Wastes – see attached

A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents

Page 6-40, 6.3.11 Principal Threat Wastes– “The NCP establishes an expectation that EPA will use treatment to address the principal threats posed by a site wherever practicable”, “The “principal threat” concept is applied to the characterization of “source materials” at a Superfund site”, “Principal threats those source materials considered to be highly toxic or highly mobile that generally cannot be reliably contained, or would present a significant risk to human health or the environment should exposure occur.”

Page 6-40, Footnote 20 – “a general rule of thumb is to consider as a principal threat those source materials with toxicity and mobility characteristics that combine to pose a potential risk several orders of magnitude greater than the risk level that is acceptable for the current or reasonably anticipated future land use.”

Page 6-41 Highlight 6-26 – Repeats information on page 6-40 more concisely.